

HEATHER E. WILLIAMS, CA Bar #122664
Federal Defender
ERIC V. KERSTEN, CA BAR #226429
Assistant Federal Defenders
Designated Counsel for Service
2300 Tulare Street, Suite 330
Fresno, California 93721-2226
Telephone: (559) 487-5561

Attorneys for Defendant
ANGELO GAONA

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ANGELO GAONA,

Defendant.

Case No. 1:22-cr-00008 JLT-SKO
Case No. 1:18-cr-00116 DAD-BAM

NOTICE OF MOTION AND MOTION FOR
TEMPORARY RELEASE; EXHIBIT; ORDER

EMERGENCY RELIEF REQUESTED

DATE: March 16, 2022
TIME: 2:00 p.m.
JUDGE: Stanley A Boone

**TO: PHILLIP TALBERT, UNITED STATES ATTORNEY, AND STEPHANIE
STOKMAN ASSISTANT UNITED STATES ATTORNEY, ATTORNEY FOR
PLAINTIFF:**

PLEASE TAKE NOTICE that on March 16, 2022, at 2:00 p.m., in the courtroom of the
Honorable Stanley A Boone, United States Magistrate Judge, defendant, Angelo Gaona, through
counsel, will move this Court for an order releasing him to the third-party custody of his nephew
from 8 a.m. until 3:00 p.m. on March 18, 2022, so he may attend the internment of ashes service
and celebration of life for his mother, Mary Jane Lopez.

///

///

///

MOTION

Angelo Gaona is awaiting sentencing after pleading guilty to unlawful possession of a firearm in Case No. 1:22-cr-00008 JLT-SKO, and related supervised release violations in Case No. 1:18-cr-00116 DAD-BAM. Mr. Gaona requests temporary release from custody so he can travel to the Mountain View Cemetery, located at 1411 W. Belmont Avenue in Fresno for the internment of his mother's ashes, and then attend a celebration of life to be held immediately thereafter, at Roeding Park, located across the street at 890 W. Belmont Avenue in Fresno.

Gaona's nephew, Elias Marmejo, has offered to act as third-party custodian. Marmejo is willing to provide transportation for Gaona, and remain in Gaona's immediate presence at all times during the proposed release. Mr. Marmejo is 38 years old, employed as an electrician, and reports he has no criminal history. His contact information has been provided to Pretrial Services.

The Mountain View Cemetery has provided an email, attached as Exhibit A, confirming the internment for Ms. Lopez' ashes is scheduled for March 18, 2021, from 10:30 a.m. to 11:30 p.m.. in the Butterfly Garden. After the service those attending will travel to Roeding Park, located across the street from Mountain View Cemetery, for a Celebration of Life to honor the memory of Gaona's mother. There will be a balloon release with messages to Gaona's mother; a niece is planning a butterfly release, and food will catering for two hours, from 12pm-2pm,

Mr. Gaona is requesting that he be released on March 18, 2022, at 8:00 a.m., so Mr. Marmejo can escort him to attend the services and celebration of life and then return him to the Fresno County Jail by 3:00 p.m. that same date.

Based on the foregoing, Mr. Gaona requests that he be temporarily released.

HEATHER E. WILLIAMS
Federal Defender

DATED: March 14, 2021

By: /s/ Eric Kersten
ERIC V. KERSTEN
Assistant Federal Defenders
Attorneys for Defendant
ANGELO GAONA

HEATHER E. WILLIAMS, CA Bar #122664
Federal Defender
ERIC V. KERSTEN, CA Bar #226429
Assistant Federal Defenders
Designated Counsel for Service
2300 Tulare Street, Suite 330
Fresno, CA 93721-2226
Telephone: (559) 487-5561

Attorney for Defendant
ANGELO GAONA

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ANGELO GAONA,

Defendant.

Case No. 1:22-cr-00008 JLT-SKO
Case No. 1:18-cr-00116 DAD-BAM

ORDER FOR TEMPORARY RELEASE

EMERGENCY RELIEF REQUESTED

DATE: March 16, 2022
TIME: 2:00 p.m.
JUDGE: Stanley A Boone

Upon consideration of defendant ANGELO GAONA's motion for temporary release and after hearing the arguments of counsel, the motion is GRANTED.

Angelo Gaona, (Fresno County Jail PID 09790321 / Booking No. 2126507) is hereby released to the third-party custodian Elias Marmejo for transport to the Mountain View Cemetery, 1411 W. Belmont Avenue, Fresno, for the internment of his mother's ashes, and then to Roeding Park, located at 890 W. Belmont Avenue, Fresno, for the celebration of life to be held immediately after the internment. Defendant shall go directly to the cemetery upon his release and stop at no other locations other than those identified in this order during his temporary release. In addition, **all** of the conditions of his term of supervised release in Case No. 1:18-cr-00116 DAD shall be complied with during the time of his temporary release, including the conditions prohibiting his use of any alcohol or drugs, including prescription medication. Mr. Marmejo shall remain in Gaona's immediate presence and keep the defendant in his eyesight at all times during the release. Defendant shall be released to the third-party custodian at 8:00

1 a.m. on March 18, 2022. He shall return to the Fresno County Jail no later than 2:30 p.m. on
2 March 18, 2022. Finally, defendant is ordered to abide by all rules and regulations issued by the
3 Court during the time of his temporary release.

4
5 IT IS SO ORDERED.

6 Dated: March 17, 2022


UNITED STATES DISTRICT JUDGE